

## Message Text

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43

ACTION L-03

INFO OCT-01 AF-06 EUR-12 NEA-10 ISO-00 IO-10 SSO-00 NSCE-00

USIE-00 INRE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 /079 W

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O R 161535Z OCT 75

FM AMEMBASSY RABAT

TO SECSTATE WASHDC IMMEDIATE 6710

INFO AMEMBASSY ALGIERS IMMEDIATE

AMEMBASSY DAKAR

AMEMBASSY NOUAKCHOTT

AMEMBASSY PARIS

AMEMBASSY THE HAGUE IMMEDIATE

AMEMBASSY TRIPOLI

AMEMBASSY TUNIS

AMCONSUL CASABLANCA

AMCONSUL TANGIERS

USMISSION USUN IMMEDIATE

USCINCEUR VAIHINGEN GERMANY

CINCUSNAVEUR LONDON

AMEMBASSY MADRID IMMEDIATE

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USCINCEUR AND CINCUSNAVEUR FOR POLADS

E.O. 11652: N/A

TAGS: PFOR, PBOR, MO, SP, SS

SUBJECT: PRELIMINARY REACTION TO ICJ ADVISORY OPINION

1. WE HAVE NOT YET RECEIVED TEXT OF ICJ ADVISORY OPINION BUT AFTERNOON EDITION OF SEMI-OFFICIAL MAROC SOIR DISPLAYS BANNER HEADLINES ANNOUNCING, "MOROCCO'S VICTORY, SPAIN'S DEFEAT." ACCOMPANYING STORY SAYS THAT COURT A) DECLARED ITSELF COMPETENT, B) DECIDED THAT SAHARA WAS NOT RES NULLIUS AND C) THAT SAHARA "HAD JURIDICAL TIES" WITH MOROCCO AND MAURITANIA AT MOMENT OF LIMITED OFFICIAL USE

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COLONIZATION.

2. ACCOMPANYING EDITORIAL BY AUTHORITATIVE EDITOR AHMED ALAOUI EXPRESSES BEWILDERMENT, HOWEVER, AT STATEMENT CONTAINED IN OPINION TO EFFECT THAT NO PROOF OF EXISTENCE OF TERRITORIAL SOVEREIGNTY BEFORE COLONIZATION WAS FOUND. ALAOUI CALLS THAT POINT "SUPERFLUOUS" AND OUT OF LINE WITH THE TERMS BY WHICH THE OPINION WAS REQUESTED.

3. A MININFO STATEMENT JUST PUBLISHED STATES THAT MOROCCO CONSIDERS THAT COURT'S DECISION HAS CUT INTO MOROCCAN/SPANISH "TERRITORIAL CONFLICT" IN MANNER THAT IS CLEAR AND WHICH SUFFERS FROM NO EQUIVOCATION OR AMBIGUITY. THUS, NOTHING ELSE OF "POLITICAL" NATURE CAN ARISE TO ALTER SPIRIT OF COURT'S CONCLUSIONS. MOROCCO, COMMUNIQUE CONTINUED, IS "COMFORTED BY THE FAIRNESS" OF OPINION. TODAY, ITS CLAIM WAS RECOGNIZED. ENDS BY SAYING THAT "MOROCCO WILL HENCEFORTH DRAW THE NECESSARY CONCLUSIONS."

4. MEANWHILE, GOVERNMENT EMPLOYEES BEING DISMISSED FROM WORK AN HOUR BEFOREHAND TO ASSEMBLE IN GROUPS AROUND THE COUNTRY TO LISTEN TO KING'S SPEECH, AND RADIO HAS BEEN PLAYING MARTIAL MUSIC SINCE MIDDAY.

5. COMMENT. GOM ACTING LIKE WINNER AND SETTING STAGE IN UPBEAT MANNER FOR KING'S SPEECH. COURT'S FAILURE TO FIND PROOF OF PREVIOUS MOROCCAN SOVEREIGNTY WHICH WOULD SET ASIDE APPLICATION OF SELF-DETERMINATION, HOWEVER, WILL GIVE GOM SERIOUS PROBLEMS EVEN THOUGH THIS ASPECT DOWNPLAYED THUS FAR.  
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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Date:** 28 MAY 2004  
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